



Lamoine Board of Selectmen

606 Douglas Hwy
Lamoine, ME 04605

Minutes of January 24, 2008

Chairman Jo Cooper called the meeting to order at 7:07 PM

Present were: Selectmen Cynthia Donaldson, Brett Jones, Richard Fennelly Jr., Chris Tadema-Wielandt, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Asst. Town Clerk Kathleen DeFusco and Margaret DeLuca

Agenda Review – Chris asked about the operations manual for the salt/sand shed. Stu said he would get one to Chris.

Minutes of January 10, 2008 – Selectmen passed in corrections to the minutes. Cynthia asked whether the minutes should be as detailed as they are. A short discussion followed regarding the amount of detail included in the minutes. No changes were proposed. Chris moved to approve the minutes as corrected. Richard 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 15 – Selectmen signed the warrant for \$57,715.14. Chris noted that Downeast Office was closing. A short discussion followed on office supply sources.

Cash & Budget – Chris asked about the Veterans' Memorial Fund reporting. Stu clarified what the report said.

Bradford Auto Consent Agreement – Jo asked Margaret DeLuca if she had a chance to look over the proposed agreement. Ms. DeLuca said Selectmen told her at the last meeting to come back with suggestions. She said everything looked fine except she would like to change the setback to 43-feet instead of 50-feet. Ms. DeLuca said she gave a diagram to the Selectmen at the last meeting. She said 10 feet can have a big impact on their business. She said it would encroach on their well casing, impact some trees, and a vehicle entrance they use. A short discussion took place regarding what activities take place in that area.

Chris said it seemed as if Bradford's had moved a lot of vehicles. Ms. DeLuca said they have sold a lot of them. She said some are stored at a lot in Ellsworth. Brett asked what the setback was that Stu found last year. Stu said the vehicles were parked 40-feet from the center line. Ms. DeLuca said she's asking for a compromise at 43-feet. Brett said it really isn't a compromise. He said the vehicles are supposed to be set back 100-feet. Chris asked about parking the vehicles on an angle. Ms. DeLuca said she wouldn't like that. She said the only thing in the consent agreement they want to change is the setback distance. A short discussion followed on the setback distance. Ms. DeLuca suggested 45-

feet. Jo said she just wanted to come to a written agreement. Another discussion followed about the display area and its impact on the well casing.

Richard said the setback distance was not an issue for him. Ms. DeLuca said with a 45-foot setback, her business could continue to operate the way it has. Cynthia asked if the reduced setback would set a precedent. She asked what the board is trying to do. She said there is no ordinance specifically addressing auto sales. Jo said that could be spelled out in a future ordinance. Brett said if that happened, he presumed that present auto sales operations would be grandfathered.

Chris asked if the agreement is personal to Bradford, and whether the agreement would follow if the business were sold. A short discussion followed.

Stu asked what the purpose was of a setback, and said he presumed it was for safety and aesthetics. Richard said he'd brought up the same point at a previous meeting. Stu said when he measured the vehicles and found them 40-feet from the center line, there were no issues with sight distances. He said aesthetics are more subjective. A short discussion followed on safety and aesthetics and where the Planning Board originally came up with the 100-foot setback language.

Chris said he was concerned what would happen to the agreement if the MDOT wanted to widen the road. A short discussion followed indicating that would require a discussion between MDOT and the property owner.

Jo restated that she wanted an agreed upon standard for all involved. She said when she noticed the vehicles last year, they did not appear to be unsafe. Ms. DeLuca said she had no grievance about Jo's inquiry.

Jo moved to amend the offered consent agreement to read 43-feet from the center line of the road. Richard 2nd. Brett said the proposed agreement was already giving Bradford 50-feet, and the nickel and dimeing is frustrating. He said the Selectmen could have been hard nosed but intervened at the request of the Planning Board. Richard said the original reason for the setback was aesthetics and safety, and the situation will improve if Bradford moves the vehicles back. He said he did not see a problem departing from the Planning Board's 100-foot requirement; the town is just nailing something down and doing what works. Jo said the role of the Selectmen is not to go around punishing people. Brett said the Board isn't punishing Bradford, but relieving a legitimate condition by ½. Jo said the Board's role is to protect the town, not arbitrarily punish businesses. She said an agreement would help all sides understand what the rules are. A short discussion followed. Ms. DeLuca said that from some aspects of the discussion, she felt she was being punished. She said the public is perfectly safe if the vehicles are displayed at 43-feet.

Vote was 2-3 (Donaldson, Tadema-Wielandt & Jones opposed) – The motion failed.

Cynthia moved to alter the consent agreement to read 45-feet setback from the center line. Richard 2nd. **Vote in favor was 3-2 (Jones, Tadema-Wielandt opposed).** The meeting recessed briefly while Stu re-typed the agreement at 45-feet. Upon resumption both Jo and Ms. DeLuca signed the agreement with the understanding that the operator of the business, Clifton Bradford, would sign it shortly. The question was asked when the clock started on the deadline to move the vehicles to the 45-foot mark. It was agreed that tonight was the starting point.

Veterans Memorial Committee – Jo reviewed the issues with the memorial, saying the committee needed to order the stone so that it would be ready for a Memorial Day installation. She said the stone arrived much earlier than anticipated, and a 2nd payment of \$7,120 was due, and only \$5,000 was available. She reported a number of fund raisers are under way and that the school patrons gave \$500 for 10 bricks. She said each class plans to do a fund raiser, and there will be a movie night and a dance at the school. She said in addition to raising funds, this is a good educational opportunity for the students. She said she's written one grant for \$5,000 and is working on another for the same amount. She reported the Lamoine Redemption Center on Asa's Lane has set up a system to take bottles and dedicate that as a donation. She said the brick sales are doing well, and jars are set up in several businesses. She said the issue really is one of timing.

Jo said Richard had a good idea in that a major donor could have an inscription on one of the benches for \$5,000. She said the question tonight is whether to put a loan question on the town meeting warrant. Stu said he'd already built one into the warrant, and Jo read the draft article. Cynthia asked if this was for the current fiscal year. Stu said it would be.

Jo said the Veterans Memorial Committee wants to send \$500 to Fred Weininger each time the fund had accumulated that much until the 2nd payment was satisfied. She said she wanted the Selectmen's thoughts on that. She said if they get a grant and they're well under way with fundraising, the committee's intention is to pay back that loan to the town as soon as possible. Chris said the amount could always be amended at town meeting. Brett said that article is in the draft of the town meeting warrant, so only a motion is needed to send \$500 whenever there is that much in the account. A short discussion followed on how to word such a motion. Stu said he had a good idea of what the board desired, and he would schedule a payment when the fund accumulates enough for the next expenditure warrant. There was no objection from the board. A short discussion followed on publicity.

Town Office Reconfiguration – Stu reported that Tyra Hanson was unable to attend the meeting tonight. He said the goal is not to look at the minutiae of the plan, but to get a figure for the budget. Chris asked how much was encumbered for the project. Stu said there is about \$4,000 left in the flooring encumbrance and current year budget after taking out Ms. Hanson's fees. Brett suggested that each section of work could be bid out. A short discussion followed on who would oversee the project, encumbering the funds, and how to bid out the project.

Stu said the Board needs to decide what to put in the town meeting warrant. Chris said if the Board asked for \$25,000, there is evidence we can do it for that. The board agreed to place that amount into the budget and warrant article.

Budget – Stu reported the Budget Committee would meet on February 11th with apologies to Cynthia who will be unable to attend. The Board reviewed the Budget Committee Agenda

Town Meeting – Selectmen reminded those watching that the school bond referendum is set for January 29th. There was a brief discussion about who had taken out nomination papers for the April 1st municipal officers' election. Stu reported that Bob Pulver is the only one who's turned in papers for the school committee, that Cynthia is the only one who's taken out papers for Selectman, and Terry Towne has taken out papers for Assessor. He said Julie Tilden has resigned from the school committee, but no one has taken out papers for that one year term. A short discussion followed on what would happen if nobody ran.

April 1&2 Town Meeting Warrant – Selectmen said they would like Stu to ask Harvey Kelley if he would moderate the meeting again.

A review of the warrant questions followed. It was noted that a loan question for the Veterans Memorial had been included twice. There was a lengthy discussion about the wording of the article on what to do with lease money from Verizon Wireless. Brett said he would like to see something dedicated to capital projects for the parks commission. There was some sentiment that a cultural event fund be established. It was agreed to designate the article for Fiscal Year 2009 only, and that the lease income be dealt with year to year.

Town Report – The board reviewed the town report draft and some written corrections were presented.

School Consolidation – Cynthia reported that the Regional Planning Committee (RPC) met on January 16 and opted to keep communications with Ellsworth open. She said the group was split over whether to generate another plan the action in the Legislature, given. She said there was a draft plan generated and distributed via e-mail on the 19th. She said the RPC draft plan was meant to inform Legislators why the Union 92 group thought it was a good idea to keep the

Union intact as a Regional School Unit (RSU) and allow local board to retain authority over their schools. She said there has been a lot of activity since the consolidation plan was rejected by the state, but she has been the only Lamoine representative at the meetings lately.

Chris asked if there was any discussion about joining with Ellsworth in an RSU. Cynthia said only that the Union 92 group was keeping its options open. Chris asked about the allegations from an Ellsworth School Committee member that joining with Ellsworth would not cause a big increase in the other Union 92 towns. Cynthia said that was not brought up.

Richard asked if the RPC has submitted anything new to the state since rejection. Cynthia said no. She said the submission dates have been pushed back because the Legislature is considering a lot of changes. Richard asked if the reason Union 92 communicated with the Legislators was to get them to support the Union 92 plan. Cynthia said the Legislature was asking for information on what we would like, and the idea was to share what's acceptable to a union of small schools. A short discussion followed on the legislative process.

Cynthia said she looked at the spreadsheet program that Richard provided at the last meeting and asked David Bridgham (Union 92 business manager) and Stu to put in numbers. She said she was trying to understand the significance of the spreadsheet. Stu said he put in what numbers he could, but was unable to provide projected school costs for next year and in the future. He said he also was unsure what the spreadsheet, that originated in the Town of Orono, was. Richard said he would look at it.

Other – Jo said she'd like to put a Memorial Day Ceremony on the next agenda.

Cynthia noted she would not be able to attend the March 6, 2008 meeting.

There being no further business, the meeting adjourned at 9:05 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.